

### **REMARKS**

This responds to the final Office Action mailed on July 25, 2007.

Claims 1 and 15 are amended, claims 6, 8-10, and 21-23 are canceled without prejudice or disclaimer, and no claims are added; as a result, claims 1-5, 7, 11-20 and 24 remain pending in this application. Support for the amendments may be found throughout the specification, and in particular on pages 18-21 of the specification. Applicant respectfully submits that no new matter has been introduced with the amendments.

#### **Interview Summary**

Applicant thanks Examiner **Jason P Pinheiro** as well as Supervisory Examiner **John Hotaling**, for the courtesy of a personal interview on **October 2, 2007** with Applicant's representatives **Rodney Lacy** and **Michael Blankstein**.

Applicant's representative presented new proposed amendments and discussed how the claimed invention distinguishes over Gatto et al. (U.S. 6,916,247) and Abrams, Jr. et al. (U.S. Publication No. 2003/0208638). No agreement regarding the status of the claims was reached during the interview. The Examiner indicated that further consideration and a new search would be required regarding the subject matter in the proposed amendments.

#### **§103 Rejection of the Claims**

Claims 1-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto et al. (U.S. 6,916,247) in view of Abrams, Jr. et al. (U.S. Publication No. 2003/0208638, hereinafter Abrams). Claims 6, 8-10, and 21-23 have been canceled without prejudice or disclaimer in this response, and therefore the rejection is believed moot regarding the canceled claims.

In order for a *prima facie* case of obviousness to exist, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim

limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). Applicant respectfully submits that pending claims 1-5, 7, 11-20 and 24 are not obvious in view of the combination of Gatto and Abrams because the claims as amended include elements not found in the combination.

For example, claim 1 recites "sending service information for the time service from the time service to a discovery agent on the gaming network." Claim 15 recites similar elements regarding a time service sending service information to a discovery agent (e.g., the discovery agent is operable to receive service information from the time service). Applicant has reviewed both Gatto and Abrams, and can find no teaching or suggestion of a time service sending service information about the time service to a discovery agent on a gaming network.

Further, claim 1 recites "determining by the discovery agent if the time service is authentic and authorized." Claim 15 recites similar language with respect to a discovery agent authenticating and authorizing a time service. Applicant has reviewed both Gatto and Abrams, and can find no teaching or suggestion of authenticating and authorizing a service such as a time service. Further, there is no teaching or suggestion in either Gatto or Abrams of a discovery agent that authenticates and authorizes a time service for a gaming network.

In view of the above, claims 1 and 15 recite elements that are not taught or suggested by either Gatto or Abrams, alone or in combination. Therefore claims 1 and 15 are not obvious in view of the combination of Gatto and Abrams. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1 and 15.

Claims 2-5, 7 and 11-14 depend either directly or indirectly from claim 1 and claims 16-20 and 24 depend either directly or indirectly from claim 15. These dependent claims are patentable over Gatto and Abrams for the reasons argued above, and are also patentable in view of the additional elements which they provide to the patentable combination. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is also nonobvious. MPEP § 2143.03. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 2-5, 7, 11-14, 16-20 and 24.

### **Reservation of Rights**

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date October 25, 2007

By /



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**CERTIFICATE UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 25th day of October 2007.

Name: RODNEY L. LACY

Signature: /

